

## **REMARKS**

Claims 1-6, 20-22, 24, 28-34, 36, 37-48, and 50-52 are pending in the application. Claims 1, 3-4, 20, 24, and 28 have been amended and claims 7-19, 23, 25-27, 35, 37, 44, and 49 have been cancelled without prejudice pursuant to a restriction requirement. Further, claims 38-42 have been allowed. No new matter has been introduced by the amendment.

### **Rejection Under 35 U.S.C. §112, Second Paragraph**

Claims 1-6 have been rejected for reciting the terms "may pass" and "each cell." this rejection is overcome in view of the amendment of claims 1, 3, and 4. Claims 1 and 4 have been amended to replace the phrase "may pass" with "can pass." Further, claim 1 has been amended to replace the phrase "at least one cell" with the phrase "one or more cells." Also, in subsequent reference to the one or more cells the phrase "each cell" has been replaced with "each of the one or more cells." Claims 3 and 4 have been similarly amended.

### **Rejection Under 35 U.S.C. §102(e)**

Claims 1-6, 20-22, 24, 28-34, 36, 43, 45-47, and 50-52 have been rejected over Schroeder et al. This rejection is overcome in view of the amendment of claims 1, 4, 20, 24, 28, and 36 together with the following remarks.

The Examiner asserts that Schroeder discloses a manifold block containing at least one cell that has an outlet opening and at least first and second inlet openings (Office Action, pg. 3). The selection manifold of Schroeder et al. is also said to include a selector mechanism actionable between a first position and a second position, and a lock to prevent the unintentional change of the selector mechanism between the first and second positions. *Id.*

As illustrated by Schroeder in Figs. 1-3, a supply valve (4) and an inlet switch assembly (3) are inserted into the manifold block (2). The inlet switch assembly (3) can be rotated to create a fluid pass between either a carbonated water inlet (32) or a plain

water inlet (33) and a water outlet (34). Conversely the syrup valve (4) can be rotated to allow syrup to flow between a syrup inlet (36) and a syrup outlet (37). In FIG. 3, Schroeder et al. illustrate the operation of the inlet switch assembly (3) to create a channel in which plain water or carbonated water, entering from one side of the cell, can be channeled to the outlet opening (34) located on a side of the cell opposite from the carbonated water inlet (32) and the plain water inlet (33).

In contrast to the assembly disclosed by Schroeder et al., claim 1, as amended, recites a selection manifold having an outlet opening and at least first and second inlet openings on a face thereof. The first and second inlet openings reside on either side of the outlet opening. An exemplary embodiment is illustrated in FIGs. 20-22 of the applicants' drawing and described in paragraphs 0075-0076 of the applicants' specification. Depending upon the position of the selector mechanism, as shown in FIGs. 21 and 22 of the applicants' drawing, water flows out of either (232) or (233) and into outlet opening (234). All of these openings are located on the same face of the manifold body. Accordingly, claim 1 distinguishes over Schroeder et al.

Claims 2-3 are allowable in view of the direct and indirect dependence from claim 1.

Claim 4, as amended, recites a selector manifold including a selector mechanism that comprises a cap with a channel along a face thereof. The selector mechanism is actionable between a first position of the face against the manifold block and a second position of the face against the manifold block. Again referring to FIGs. 21 and 22 in the applicants' drawing, the illustrated exemplary embodiment shows the selector mechanism (212) positioned along a face of the manifold body (214). Accordingly, claim 4 distinguishes over Schroeder et al.

Claims 5 and 6 are allowable in view of their direct and indirect dependence from claim 4.

Claim 20, as amended, recites a beverage selection manifold having a removable cap. The removable cap includes a channel and has a face that is positionable against an outer wall of the cell in a first cap position and a second cap position. Schroeder et al. does not suggest to disclose a removable cap that is

positionable against an outer wall of a cell. Accordingly, claim 20 distinguishes over Schroeder et al.

Claims 21 and 22 are allowable in view of their dependence from claim 20.

Claim 24, as amended, recites a method of switching a supply line to a dispensing valve. The user selects the fluid supply to a beverage valve by positioning a cap against an outer wall of a manifold body. This method is not suggested or disclosed by Schroeder et al.

Claim 28 recites a beverage selection manifold including a plurality of removable caps. Each of the caps includes a channel therein positionable against an outer wall of one of the sections of the manifold body. Again, Schroeder does not suggest or disclose the claimed beverage selection manifold.

Claims 29-31 are allowable in view of their dependence from claim 28.

Claim 32 recites a beverage selection manifold that includes multiple cells. Each cell has a first and second inlet orifices and first and second outlet orifices. In contrast to the beverage selection manifold recited by claim 32, Schroeder et al. discloses two cells in a block. Through one of the cells, syrup is dispensed through a single outlet opening and enters the cell from a single inlet opening. In the other cell, water is selected from a first inlet opening or a second inlet opening and distributed to a single outlet opening. Accordingly, the assembly of Schroeder et al. does not have the claimed first and second inlet orifices and the claimed first and second outlet orifices. The function of the claimed detachable body is to create a flow path between the first and second inlet orifices and first and second outlet orifices. In contrast, Schroeder et al. has a rotational inlet switch assembly that is rotated between two positions to alternatively provide a flow path from one or two inlet openings to a single, common outlet opening.

Claims 33 and 34 are allowable in view of their dependence from claim 32.

Claim 36 depends from claim 32 and recites that the cap is positionable adjacent arrangement an outer wall of one of the cells in a first cap position and a second cap position. This is not suggested or disclosed by Schroeder et al.

Claim 43 recites a beverage selection manifold that includes a manifold body having multiple cells. Each cell has first and second inlet orifices and first and second outlet orifices. As discussed above, Schroeder et al. fail to suggest or disclose a cell having first and second inlet orifices and first and second outlet orifices. Further, claim 43 recites that at least one detachable body is configured to stop fluid flow from a first outlet orifice in a first position and from a second outlet orifice in a second position.

Claims 45-47 and 50 are allowable in view of their dependence from claim 43.

Claim 51 recites a beverage selection manifold that includes multiple cells, where each cell has first and second inlet orifices and first and second outlet orifices. Further, the first and second inlet orifices are connected to respective first and second elongated channels. The beverage selection manifold further includes at least one detachable body configured to stop fluid flow from a first outlet orifice in a first position and from a second outlet orifice in a second position as described above, Schroeder et al. fails to suggest or disclose a cell having the recited first and second inlet orifices and first and second outlet orifices.

Claim 52 is allowable in view of its dependence from claim 51.

#### **Rejection Under 35 U.S.C. §103(a)**

Claim 48 has been rejected over Schroeder et al. This rejection is overcome in view of the following remarks.

Claim 48 directly depends from claim 43. Accordingly, the applicants' foregoing remarks pertaining to claim 43 and Schroeder et al. are incorporated by reference herein. The applicants assert that claim 48 is allowable at least in view of the recitation in claim 43 of a manifold body that includes multiple cells, where each cell has first and second inlet orifices and first and second outlet orifices. Accordingly, the beverage selection manifold of claims 43 and 48 both structurally and functionally differs from the assembly disclosed by Schroeder et al.

The applicants assert that one skilled in the art would not find it obvious to somehow transform the assembly of Schroeder into a beverage selection manifold serviced by two inlet orifices and two outlet orifices, and in which flow channels are

created by positioning a detachable body with respect to the inlet orifices and outlet orifices.

**Allowed Claims**

The allowance of claims 38-42 is acknowledged.

The applicants have a novel and non-obvious contribution to the art of beverage selection manifold function and design. The claims at issue distinguish over the cited reference and are in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,

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